

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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|----------------------------|---|-----------------------|
| In Re: |) | |
| |) | |
| JESSE EVERETT SHRYOCK, and |) | Case No. 14-42405-659 |
| ASHLEY MARIE SHRYOCK, |) | Chapter 7 |
| |) | |
| Debtors. |) | |

ORDER

The matters before the Court are Application for Payment of Unclaimed Funds in the amount of \$8,141.53 filed by Jesse Everett Shryock and Application for Payment of Unclaimed Funds in the amount of \$8,141.53 filed by Ashley Marie Shryock. The Court makes the following **FINDINGS AND CONCLUSIONS**:

On March 31, 2014, Jesse Everett Shryock (hereinafter Mr. Shryock") and Ashely Marie Shryock (hereinafter "Ms. Shryock" and collectively "Debtors") filed a voluntary Chapter 7 case. Robert J. Blackwell was originally appointed the Chapter 7 Trustee and on January 28, 2021, Charles W. Riske was appointed Successor Chapter 7 Trustee. The case was originally closed on July 10, 2014. On November 18, 2020, the United States Trustee filed a Motion to Reopen Case which was granted on November 20, 2020. The Successor Chapter 7 Trustee filed Motion for Order Authorizing Payment of Unclaimed Trust Funds Into Registry of the Court on September 26, 2021, seeking to deposit funds in the amount of \$8,141.53 from the check that was returned to the Successor Trustee after being mailed to multiple addresses. This check was payable to Debtors, both Mr. Shryock and Ms. Shryock. On September 16, 2021, the Order granting Motion for Order Authorizing Payment of Unclaimed Trust Funds Into Registry of the Court (hereinafter "Order Authorizing Payment Into Registry of the Court") was entered.

The check in question that was subject of the Order Authorizing Payment Into Registry of the Court was made payable to Debtors.

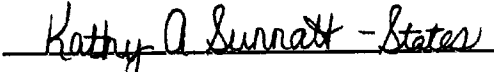
Based on a review of the record as a whole, the Successor Chapter 7 Trustee made the check that is the subject of the unclaimed funds applications payable to Debtors. There is nothing in the record, including the Application for Payment of Unclaimed Funds in the amount of \$8,141.53

filed by Mr. Shryock and Application for Payment of Unclaimed Funds in the amount of \$8,141.53 filed by Ms. Shryock, establishing that neither Mr. Shryock nor Ms. Shryock are entitled to the full amount of the unclaimed funds of \$8,141.53.

Additionally, Application for Payment of Unclaimed Funds in the amount of \$8,141.53 filed by Mr. Shryock was mailed from an unclaimed funds locator, Jaleesa Jackson of JAX Enterprises, LLC., and included a Limited (Special) Power of Attorney giving the agent, Jaleesa Jackson, power to retrieve excess funds from this bankruptcy case and further included a contract permitting JAX Enterprises to receive 30% of the unclaimed funds. However, it must be noted that the Application for Payment of Unclaimed Funds in the amount of \$8,141.53 filed by Mr. Shryock is solely in the name of Mr. Shryock. In Section 2 Applicant Information, the first box checked states "Applicant is the Claimant and is the Owner of Record entitled to the unclaimed funds appearing on the record of the court" and not the third box which states "Applicant is Claimant's representative (e.g., attorney or unclaimed funds locator)." There is no support for making any payment jointly to include JAX Enterprises, LLC. Therefore,

IT IS ORDERED THAT the Application for Payment of Unclaimed Funds in the amount of \$8,141.53 filed by Jesse Everett Shryock is **GRANTED IN PART** in that Jesse Everett Shryock is entitled to \$4,070.77; and

IT IS FURTHER ORDERED THAT Application for Payment of Unclaimed Funds in the amount of \$8,141.53 filed by Ashley Marie Shryock is **GRANTED IN PART** in that Ashley Shryock is entitled to \$4,070.76.


KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

DATED: April 4, 2022
St. Louis, Missouri

Copies to:

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